



2009/2010

AMADOR COUNTY CIVIL GRAND JURY
FINAL REPORT



June, 2010

2009/2010

AMADOR COUNTY CIVIL GRAND JURY

FINAL REPORT

Amador County Courthouse, Jackson



June, 2010

**CRIMINAL JUSTICE
MULE CREEK STATE PRISON**

INTRODUCTION:

The 2009/2010 Amador County Civil Grand Jury conducted the required inspection and review of the Mule Creek State Prison (MCSP) on October 21, 2009.

BACKGROUND:

MCSP is located in the City of Ione adjacent to the CDF/CALFIRE Academy and Preston Youth Correctional Facility. The prison opened on June 10, 1987. It is considered a minimum, medium and maximum security prison, with Custody Levels I through IV. It has close custody capability. There are three Facilities: A, B and C, including a Sensitive Needs yard.

Although the design capacity of MCSP is 1,700 inmates, the average inmate count at the time of the grand jury visit was 3,900. Current staffing includes 560 non-custody personnel and 681 custody personnel. There are 1,562 inmates serving life terms with possibility of parole and 155 inmates serving life terms without possibility of parole. Of these, 22 inmates are considered high-notoriety Public Interest Cases (PICs).

Minimum security inmates work outside the secured perimeter, participating in the MCSP Community Crew work programs within the City of Ione. Prison Industries Authority (PIA) offers income programs including digital mapping, coffee roasting, and textiles. Inmates also have access to self-help groups.

The Annual operating budget for fiscal year 2009/2010 is \$156,513,883 of which \$5,095,924 is for education and \$56,327,894 is for health care.

RESPONSIBLE AGENCY:

MULE CREEK STATE PRISON
CALIFORNIA DEPARTMENT of CORRECTIONS & REHABILITATION, DIVISION of ADULT INSTITUTIONS
4001 State Highway 104
P.O. Box 409099
Ione, CA 95640

JUSTIFICATION/JURISDICTION:

California Penal Code § 919(b). *The Grand Jury shall inquire into the condition and management of the public prisons within the county.*

METHOD OF EVALUATION:

INTERVIEWS & TOUR

- Pre-inspection briefing by the Warden and the Administrative Assistant/Public Information Officer
- Questions and Answers session
- Discussions with correctional officers, teachers, department heads, and inmates

- Tour of Administrative Offices
- Tour of Facility A
 - Exercise yard
 - Dining hall and kitchen
 - Chapel
 - Classrooms
 - Cell Block
 - Level III gymnasium, converted into overflow housing for inmates
 - Prison Industries Authority (PIA)

DOCUMENTS

- 2008 MCSP Administration Organizational Chart
- Map of MDSP
- Chart: *Institution Population by County of Commitment*
- Statistical Information, October, 2009
- Memorandum for Fire Department Mutual Aid Activity, August 2009
- Mule Creek Fire Department Incidents, August, 2009
- Fire Department, August 2009: *Mutual Air Response Summary*
- MCSP 2008/09 Fiscal Year Food Sales

FACTS:

1. The tour was conducted on a day when electrical retrofitting was taking place. The facility was in a minimum security lock down.
2. Three gymnasiums have been converted into inmate housing with dormitory-style living arrangements. Up to 360 Level I, II, III inmates are housed in these gymnasiums. Each is provided a bunk and small locker for his personal affects. The bunks are triple-stacked and placed in close proximity. A podium manned by two officers with surveillance equipment watch over the inmates. Several officers patrol the floor.
3. Overcrowding is a problem experienced by all California correctional facilities. Approximately 8,000 inmates statewide have been sent to other states for incarceration. An additional 2,500 will be sent during 2009/2010.
4. The inmates' medical needs are accommodated by either in-house services for less serious conditions or by transportation to regional hospitals and clinics. In-house medical resources cover medical, dental, pharmaceutical, and psychiatric needs. These resources include estrogen shots for transsexual inmates. Interpreters are provided for the hearing impaired and non English-speaking population.
5. The inmates are provided access to formal religion from several denominations in the MCSP chapels, and to sacred religious grounds in the yard.
6. The inmates are provided access to a legal library at the prison.
7. There are two perimeter posts manned 24 hours a day. Each housing unit has an armed correctional officer manning the observation posts 24 hours a day. There is electric fencing surrounding the entire facility.
8. Counseling, academic, and educational programs are part of MCSP rehabilitation efforts.

9. Currently MCSP offers academic programs of K through 12, and a GED with the successful completion of high school equivalency requirements. MCSP also offers independent studies and "distance learning" for those who wish to continue their education.
10. Vocational programs include landscape gardening, milling and cabinet making, welding, auto mechanics, AC/refrigeration, office services, electronics, small engine repair, and graphic arts.
11. The PIA (Prison Industry Authority) program offers the inmates an opportunity to learn a vocation while earning money. PIAs include textiles, coffee roasting, meat processing, digital mapping, laundry, administration and warehouse work. Digital mapping is a sought-after trade, and requires an interview and resume from each inmate interested. Inmates' PIA earnings are placed in a trust account.
12. There is a long waiting list for inmates wishing to participate in any of the Educational, Vocational, and PIA programs.
13. Many of the inmates at MCSP are designated "sensitive needs," defined as those inmates who may be subject to harm or have "enemy situations." They include high notoriety/highly publicized cases, those convicted of heinous crimes, and those considered high risk. Sensitive needs inmates are provided safe-housing facilities to prevent inmate interaction.
14. There is absolutely no smoking allowed on the prison's premises, either by inmates or staff.
15. There were 1,713 inmates participating in the prison's mental health programs at the time of the inspection.
16. Inmate records are in the process of being converted to electronic format.
17. The number of family units for conjugal visits has been reduced from four to two. These visits are thoroughly monitored by staff.
18. MCSP sells and donates food to various county agencies, including the Amador Tuolumne Community Action Agency, Amador Senior Center, Hospice of Amador, Amador County Recreation Agency, Pregnancy Help Center, Amador Community Foundation, the Interfaith Food Bank, and Preston Castle Foundation.
19. The Mule Creek Fire Department is responsible for incidents that occur at the prison. Staff and inmate firefighters also participate in mutual aid assistance in the community. The Mule Creek Fire Chief cooperates with the Ione City Fire Department, the Amador County Fire Chief's Association, the Amador County Disaster Council and the Amador County Sheriff's Office Emergency Service.
20. The state institutions within the Amador County are having difficulty obtaining inspections from the State Fire Marshall.

STATE BUDGETARY CONCERNS:

1. Budget-related legislation in January, 2010 forced MCSP to reduce its staff. In preparation for the anticipated cutbacks, the prison initiated many precautionary measures in 2009 to compensate for the staff reductions.
2. Academic and vocational programs offered at MCSP may be reduced or eliminated. It is expected that one half of the academic staff will be cut. To mitigate the reduction of state funded vocational programs, the prison does receive some federal funds for life-skills programs.
3. PIA programs are not earmarked for elimination because the products manufactured or produced actually bring money into the prison system.

FINDINGS:

1. Overcrowding continues to be problem at MCSP. This is complicated by budget issues. An early release program for inmates has become necessary. (Facts #2, #3)
2. The reduction of staff and academic/vocational programs will have a negative effect on inmates and result in a state prison system that deals exclusively with the incarceration of inmates, not with their rehabilitation. (Facts #8, #9, #10)
3. Of the anticipated 20,000 to 25,000 inmates to be paroled statewide, 500 to 1,000 are expected to come from MCSP. The parolees will be released into their counties of commitment. Amador County has 217 inmates in the entire state prison system, equaling one percent of the total population.

RECOMMENDATIONS:

1. Maintain academic and vocational programs by soliciting help from the community to keep them viable. (Finding #2)

RESPONSE REQUIRED:

Pursuant to California Penal Code § 933(c) response to this report is required *No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the Superior Court on the findings and recommendations...* California Law, n.d.

◆◆◆◆◆

**DEPARTMENT OF ADULT INSTITUTIONS
MULE CREEK STATE PRISON**

P.O. Box 909099
Ione, CA 95640



July 1, 2010

Michael Phalen
Foreperson
2009-2010 Grand Jury

RE: Response to the 2009/2010 Grand Jury Report

Findings in the Grand Jury Report 2009/2010 for Mule Creek State Prison:

The reduction of staff and academic/vocational programs will have a negative effect on the inmates and result in a state prison system that deals exclusively with the incarceration of inmates, not with their rehabilitation.

The Grand Jury's Recommendation for Mule Creek State Prison:

Maintain academic and vocational programs by soliciting help from community to keep them viable.

Response:

Due to significant budget reductions, the California Department of Corrections and Rehabilitation (CDCR) is in the process of revising the way in which educational services are provided which is consistent with the Bureau of State Audit's (BSA) recommendation. As part of these changes, CDCR is developing a staffing plan that allocates educational staff based on the target population at each institution. It is important to note these allocations are limited by the funding identified in the enacted budget.

In addition to educational assignments, inmates may also participate in activities that are generally known as self help programs, such as Alcoholic Anonymous (AA), Narcotics Anonymous (NA), Veteran's Support groups, Victim's Awareness Offender Program, Juvenile Diversion Program and other Inmate Leisure Time Activity Groups (ILTAGs).

Mule Creek State Prison has increased the ILTAG's through staff sponsors and community volunteers. Continues attempts are being made by Mule Creek's managerial staff to increase community volunteerism and save several programs. Ultimately, the resources available will be dependent upon funding availability.

Please feel free to contact me at (209) 274-5000 if you have any questions.

Sincerely,

M. MARTEL
Warden
Mule Creek State Prison